IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

Criminal Writ Petition No.305 of 2006

Umesh s/o Laxminarayan Shahu
vrs
State of Maharashtra and others

Office Notes, Office Memoranda of Coram, : Appearances, Court's orders or directions : Court's or Judge's orders and Registrar's orders.

Mr. N.R. Borkar, Advocate for the petitioner,
Mr. Y.B. Mandpe, APP for respondent nos.1 to 4/State.

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CORAM : K. J. ROHEE & C. L. PANGARKAR, JJ
DATED : OCTOBER 06, 2006

P.C.

1. Heard the learned counsel for the petitioner and the learned APP for the respondents/State.

2. The petitioner is the tenant of the shop premises owned by one Mr. Narendra Pimple (the father of respondent nos.5 and 6). According to the petitioner, respondent nos.5 and 6 wanted that the petitioner should vacate the premises. It is alleged by the petitioner that on 22.5.2006 the police officers and some workers of Bajrang-Dal forcibly entered the shop premises of the petitioner and destroyed the articles therein. They also looted cash of Rs.10,000/- from the shop. According to

the petitioner, this incident took place in presence of the police officers who did not prevent it. On the same day the petitioner lodged report with Assistant Commissioner of Police, Police Station Kotwali, Nagpur. However, no action was taken against the respondents.

3. A perusal of the reply filed by Respondent No.4 (PI, Police Station Tahsil, Nagpur) shows that on 22.5.2006 a demolition drive was undertaken by the Municipal Authorities under police protection for widening the road. The drive continued from 9.00/ 9.30 a.m. till 5.00/5.30 p.m. Some portion of the shop of the petitioner was destroyed by the demolition squad.

4. In view of the reply we find no force in the petition. The same is, therefore, dismissed in limine.

JUDGE **JUDGE**

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